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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 KIMBERLEY MAIN and EYAD AKEL,
16 individuals, on behalf of themselves and all others
17 similarly situated,

18 Plaintiffs,

19 vs.

20 WAL-MART STORES, INC., a Delaware
corporation; and DOES 1 through 50, inclusive,

21 Defendants.
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No.: 3:11-cv-01919-JSW

Consolidated Cases:

Landeros, Case No. 11-CV-2659-JWS
Nelson, Case No. 11-CV-2001-JWS
Grikavicius, Case No. 11-CV-2893-JWS

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING ON
MOTION FOR CLASS CERTIFICATION
AND FURTHER CASE MANAGEMENT
CONFERENCE FROM JULY 27, 2012 TO
OCTOBER 26, 2012**

Hon. Jeffrey S. White

STIPULATION

This Stipulation is made pursuant to Local Rules 6-1(b) and 6-2 and this Court's Civil Standing Order 3 by and between plaintiffs Kimberly Main, Robin Nelson, Marylynn Grikavicius, and Lourdes R. Landeros ("Plaintiffs") and defendant Wal-Mart Stores, Inc. ("Defendant"), by and through their respective counsel, in light of the following facts:

WHEREAS, on December 16, 2011, this Court entered a Civil Minute Order in this consolidated matter setting a hearing of July 27, 2012 at 9:00 a.m. for Plaintiffs' Motion for Class Certification and a Further Case Management Conference;

WHEREAS, on April 16, 2012, the parties participated in a mediation before the Hon. Edward A. Infante (Ret.) at the JAMS Judicial Arbitration, Mediation, and ADR Services offices located in San Francisco, California, at which the parties reached an agreement in principle on the material terms of a possible settlement;

WHEREAS, the parties agreed that the terms of the possible settlement would be subject to review and final approval by Defendant's management;

WHEREAS, the review by Defendant's management is ongoing;

WHEREAS, the parties wish to avoid the costs of further discovery and briefing on the Motion for Class Certification and, therefore, request that the hearing on the Motion for Class Certification and Further Case Management Conference be continued from July 27, 2012 to October 26, 2012, or some later date convenient to the Court;

WHEREAS, there have been no previous time modifications in this case, whether by stipulation or Court order, related to the Motion for Class Certification or the Further Case Management Conference set by the Court's December 16, 2011 Civil Minute Order; and

WHEREAS, there has been no date set for trial in this case and the requested time modification will not affect any other deadlines scheduled in this case.

NOW, THEREFORE, Plaintiffs and Defendant hereby stipulate and jointly request that the Court continue the hearing for the Motion for Class Certification and the Further Case Management Conference from July 27, 2012 to October 26, 2012, or some later date convenient to the Court.

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IT IS SO STIPULATED

DATED: May 23, 2012

REED SMITH LLP

By: /s/ Scott H. Jacobs

Scott H. Jacobs
Brandon W. Corbridge
Attorneys for Defendant
WAL-MART STORES, INC.

DATED: 5/23/2012

STONEBARGER LAW, P.C.

By: /s/ Gene J. Stonebarger

Gene J. Stonebarger
Richard D. Lambert
Co-Lead Plaintiffs' Counsel

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order Continue Hearing on Motion for Class Certification and Further Case Management Conference.

DATED: May 23, 2012

REED SMITH LLP

By: /s/ Scott H. Jacobs

Scott H. Jacobs
Brandon W. Corbridge
Attorneys for Defendant
WAL-MART STORES, INC.

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~~[PROPOSED]~~ ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS ORDERED that:

1. The hearing on the Motion for Class Certification is continued to October 26, 2012 at 9:00 a.m.
2. The Further Status Conference is continued to October 26, 2012 at 9:00 a.m.

Dated: May 24, 2012

By: _____


The Honorable Jeffrey S. White
United States District Judge